

**BLACK ROCK STORAGE  
MASTER PLAN AMENDMENT  
DEVELOPMENT CODE AMENDMENT  
REGULATORY ZONE AMENDMENT**



**Prepared by:**



**JANUARY 16, 2018**

**BLACK ROCK STORAGE  
MASTER PLAN AMENDMENT  
DEVELOPMENT CODE AMENDMENT  
REGULATORY ZONE AMENDMENT**

**Prepared for:**

Black Rock Storage, LLC  
681 Edison Way  
Reno, NV 89502

**Prepared by:**

Rubicon Design Group, LLC  
1610 Montclair Avenue, Suite B  
Reno, NV 89509  
(775) 425-4800

**JANUARY 16, 2018**

---

## **Table of Contents**

Introduction .....	1
Project Location .....	1
Project Summary.....	4
Master Plan Amendment.....	5
Development Code Amendment.....	8
Regulatory Zone Amendment.....	10
Future Development.....	13
Planning Policy Analysis .....	13
Truckee Canyon Area Plan .....	13
Washoe County Master Plan .....	15
Truckee Meadows Regional Plan.....	18
Request Findings.....	18
Master Plan Amendment.....	18
Development Code Amendment.....	20
Regulatory Zone Amendment.....	21

### **List of Figures:**

Figure 1 – Vicinity Map .....	2
Figure 2 – Existing Conditions.....	3
Figure 3 – Existing Conditions (2).....	4
Figure 4 – Existing Master Plan Designations .....	6
Figure 5 – Proposed Master Plan Designations .....	7
Figure 6 – Proposed Truckee Canyon Area Modifier Map .....	9
Figure 7 – Existing Zoning .....	11
Figure 8 – Proposed Zoning .....	12

### **Appendices:**

Master Plan Amendment Application  
Development Code Amendment Application  
Proposed Section 110.222.20 (Truckee Canyon Area Modifier)  
Regulatory Zone Amendment Application  
Property Owner Affidavit  
Water Rights Banking Agreement  
Title Report  
Proof of Tax Payment

---

## Introduction

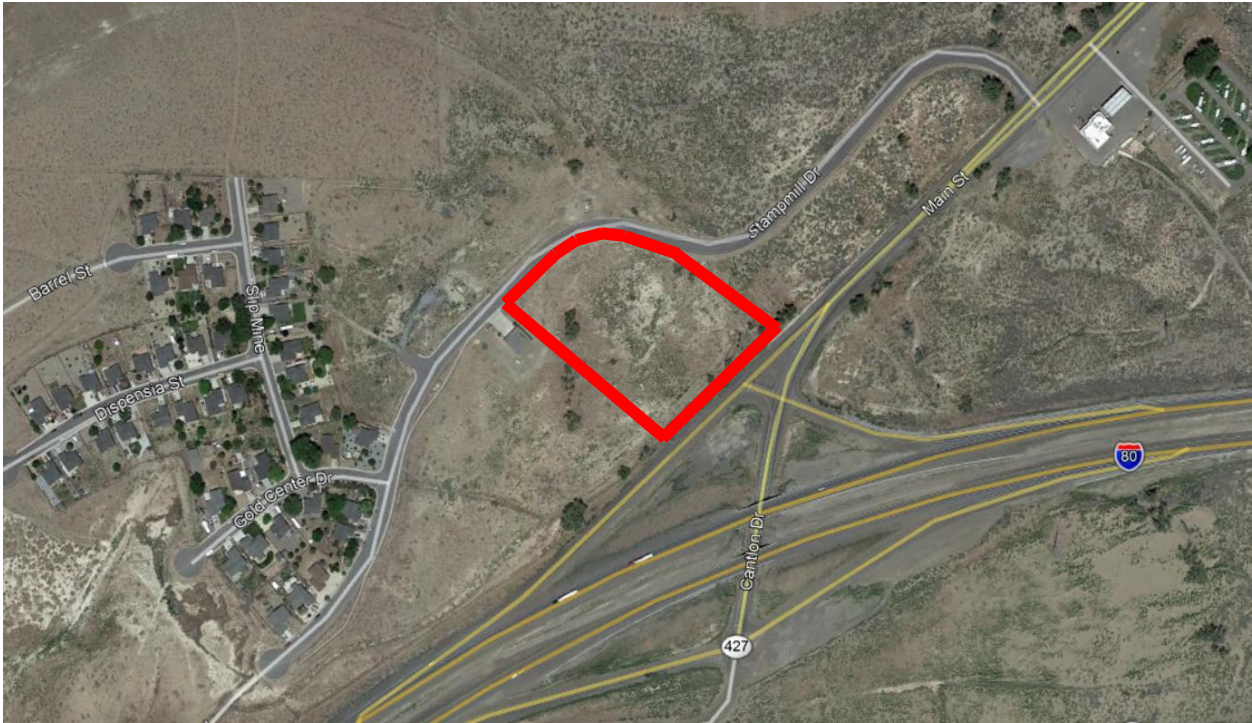
This application includes the following requests:

- A **Master Plan Amendment** to:
  - Amend the Truckee Canyon Area Plan to allow commercial master plan categories and commercial regulatory zoning for use types that do not require new municipal services
  - Add a statement or policy restricting the commercial use types allowed
  - Amend the existing Suburban Residential master plan designation of the site to Commercial
- A **Development Code Amendment** to create Section 110.222.20 (Truckee Canyon Area Plan Modifier) to allow specific use types in the Neighborhood Commercial regulatory zone subject to a Special Use Permit (approved by the Board of Adjustment) only if the use does not require new municipal services.
- A **Regulatory Zone Amendment** to change Medium Density Residential (MDS) zoning to Neighborhood Commercial (NC).

## Project Location

The property to which this Area Modifier will apply (APN 084-291-04) consists of 5.399 acres located on the north side of Interstate 80 at Exit 43 (Wadsworth). More specifically, the site is located north of Interstate 80, south of Stampmill Drive, and east of (adjacent to) the existing Truckee Meadows Fire Protection District station. Figure 1 (following page) depicts the project location.

**BLACK ROCK STORAGE**



**Figure 1 – Vicinity Map**

The property included with these requested amendments is located along the north side of Interstate 80 at Exit 43 (Wadsworth). The property is surrounded on the east and north sides by vacant land and is adjacent to a Truckee Meadows Fire Protection District station to the west. A small single-family residential neighborhood is located farther to the west and a gas station/RV park is down the street to the east. The parcel included in this application is currently vacant. Figure 2 (next two pages) depicts the existing site conditions.

**BLACK ROCK STORAGE**



Looking South



Looking West

Figure 2 – Existing Conditions



**Looking North**

**Figure 2 – Existing Conditions (Continued)**

**Project Summary**

Currently, the subject parcel is zoned Medium Density Suburban (MDS) per the Washoe County Zoning Map with a land use designation of Suburban Residential (SR) in the Washoe County Master Plan. The following table shows the Zoning and Land Use Designations of the surrounding properties.

	Zoning	Land Use
North	Medium Density Suburban Tribal	Suburban Residential Tribal Land
South	Tourist Commercial (across I-80)	Commercial (across I-80)
East	Tribal	Tribal Land
West	Medium Density Suburban	Suburban Residential

This application includes three land use requests in order to establish Neighborhood Commercial (NC) zoning at the project site with a limit of what types of uses are allowed. The first component of this application is a Master Plan Amendment (MPA) for three individual changes to the Master Plan and the Truckee Canyon Area Plan. The second request is a Development Code Amendment (DCA) to add a new Area Modifier to the Development Code limiting individual use types. The third request is a Regulatory Zone Amendment (RZA) from Medium Density Suburban designation to Neighborhood Commercial, consistent with the proposed Commercial Master Plan designation.

## BLACK ROCK STORAGE

---

It is the intent of the project applicant to establish the necessary Master Plan and zoning designations to position the site for development of a mini-storage use (described in subsequent sections of this report). It is important to note that this application is essentially the first step in establishing the proper zoning at the project site. It is planned to submit a Special Use Permit at a future date.

Each request is summarized below:

- **Master Plan Amendment**

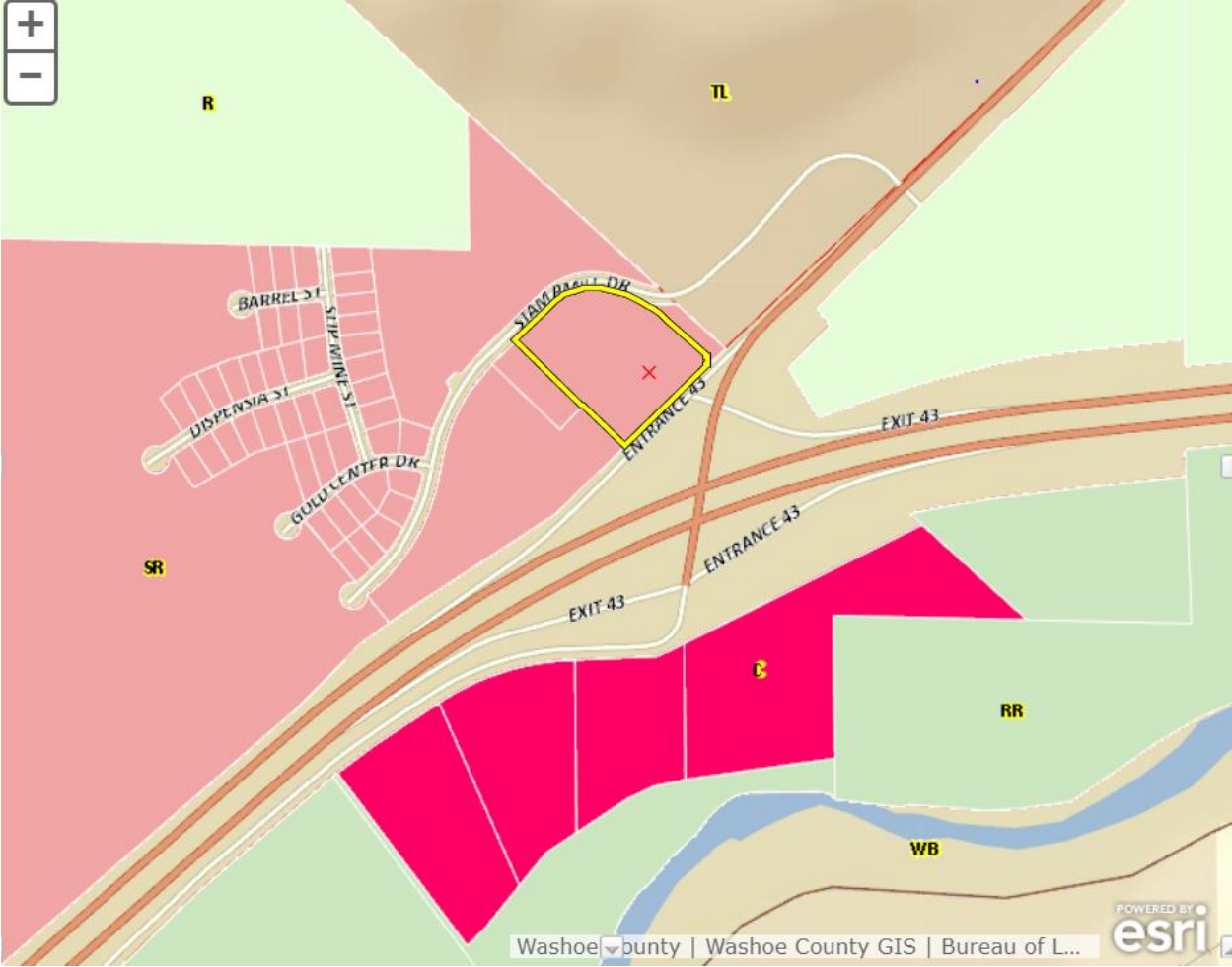
This Master Plan Amendment request consists of three individual actions. These are:

1. Amend the Truckee Canyon Area Plan to allow commercial master plan categories and commercial regulatory zoning only for use types that do not require new municipal services;
2. Add a statement or policy restricting the commercial use types allowed;
3. Amend the existing Suburban Residential master plan designation of the site to Commercial.

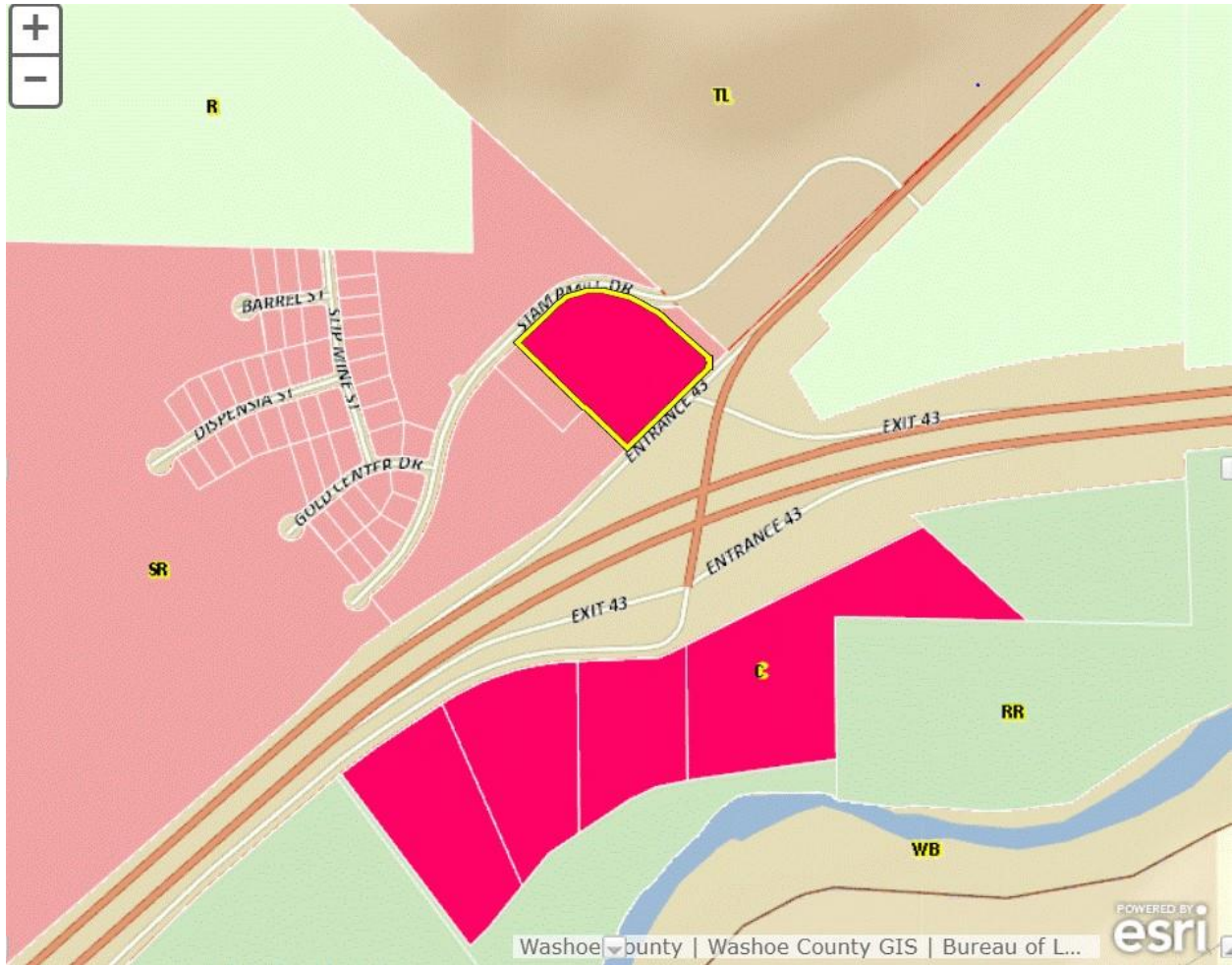
These individual actions would allow for not only a change of Master Plan designation from Suburban Residential to Commercial, but it would also limit what commercial uses would be allowed by requiring that the use be supported by both an on-site water well and septic system. This lets the County significantly restrict the type of development allowed on this site.

The following pages (Figures 4 and 5) show the existing and proposed Master Plan designations for the subject property.





**Figure 4 – Existing Master Plan Designations**



**Figure 5 – Proposed Master Plan Designations**

Per the Washoe County Master Plan Land Use and Transportation Element, the intent of the Commercial designation is *“to create and preserve areas for businesses that provide a variety of wholesale and retail goods and services, which serve a neighborhood or community market and are created in conjunction with residential uses to create a mixed-use, new-urbanist community.”* The Washoe County Master Plan establishes guidelines to gauge whether a land use is appropriate for any given parcel. In the case of this application, the site meets or exceeds all criteria outlined for the Commercial designation on pages 52 and 53 of the Land Use and Transportation Element. This includes:

- A. **Conservation** – The Master Plan calls for the preservation of natural terrain and scenic qualities. The subject property is flat and will not result in grading of steep slopes or any type of development that results in visual scarring, etc. In addition, there are no soil, geology, or other physical conditions that make the subject site unsuitable for future development.

- B. **Land Use and Transportation** – The Land Use and Transportation Element states that commercial designations should be located within walking distance to single-family homes. With the Stampmill Estates located approximately 400 feet to the west, changing the Master Plan and zoning designations to allow for commercial uses would comply with this requirement.
- C. **Public Services and Facilities** – The project site meets or exceeds the standards for fire, EMS, and police response times as outlined in the Master Plan.

There are a variety of considerations when evaluating the requested Master Plan Amendment. With the continued expansion of the Tahoe-Reno Industrial Center (TRIC) a few miles to the west of this site, there is an increased demand for commercial uses along the Truckee Canyon as a whole. In addition, the population around TRIC is growing, particularly in areas served by Interstate 80 in and around Wadsworth/Fernley. As the potential for housing increases in these areas, the need for commercial uses also increases. The properties to the south of the subject parcel across Interstate 80 are already designated Commercial and it is anticipated that commercial uses will be developed on those in the future. The properties on the north side of Interstate 80, including and surrounding the subject property, are logical places for commercial uses to support not only the existing housing, but any future housing that is built in the area as well.

In addition, this site is located adjacent to Exit 43 off Interstate 80, which leads to State Route 447, the route to Pyramid Lake and Burning Man (both of which draw a large amount of vehicular traffic). This traffic would benefit from additional commercial uses in the area with convenient places to stop before traveling up State Route 447. By modifying the subject parcel to allow for the development of mini storage (subject to a Special Use Permit to be submitted separately), travelers would have a convenient place to store camping, fishing, and other recreational equipment. Residents in the area may also benefit from a convenient place to store their items as well.

The site location, along Interstate 80, adjacent to a freeway on-ramp, is not well suited for residential use. Given the potential for noise impacts, traffic, increased setback requirements, etc. the proposed NC zoning is much more logical than single-family residential use at the project site.

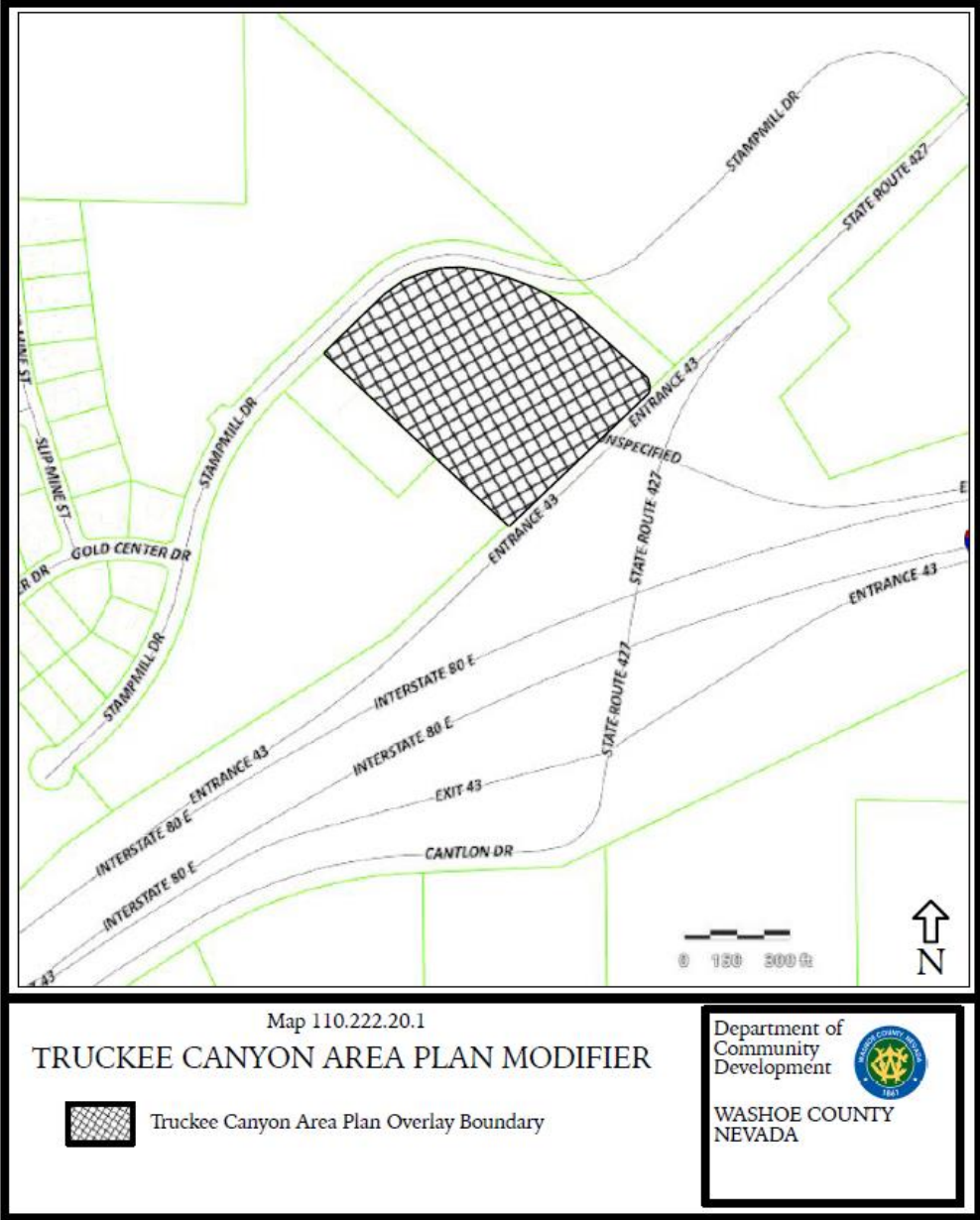
The Planning Policy Analysis section of this report provides further analysis of applicable Washoe County Master Plan Goals and Policies and demonstrates how the proposed amendment serves to implement them along with goals and policies of the Truckee Canyon Area Plan and Truckee Meadows Regional Plan.

- **Development Code Amendment**

This application proposes one parcel (APN 084-291-04) to be included in a new Area Modifier within the Washoe County Development Code. The proposed Truckee Canyon Area Modifier would allow for the development of only a mini storage facility on the subject property subject to a Special Use Permit (to be submitted at a later date). If, in the future, a different use was proposed for the site, the future property owner would be required to file a new Development Code Amendment to allow for that use, assuming it complies with the new requirements of the Master Plan outlined above.

**BLACK ROCK STORAGE**

This proposed commercial use is directly compatible with the designations of properties to the south across Interstate 80 which are currently designated Commercial by both the Zoning and Land Use maps shown above. Figure 5 (following page) is the proposed Truckee Canyon Area Modifier map to be included within the new Development Code Section 110.222.20, the entirety of which is attached to this report.



**Figure 6 – Proposed Truckee Canyon Area Modifier Map**

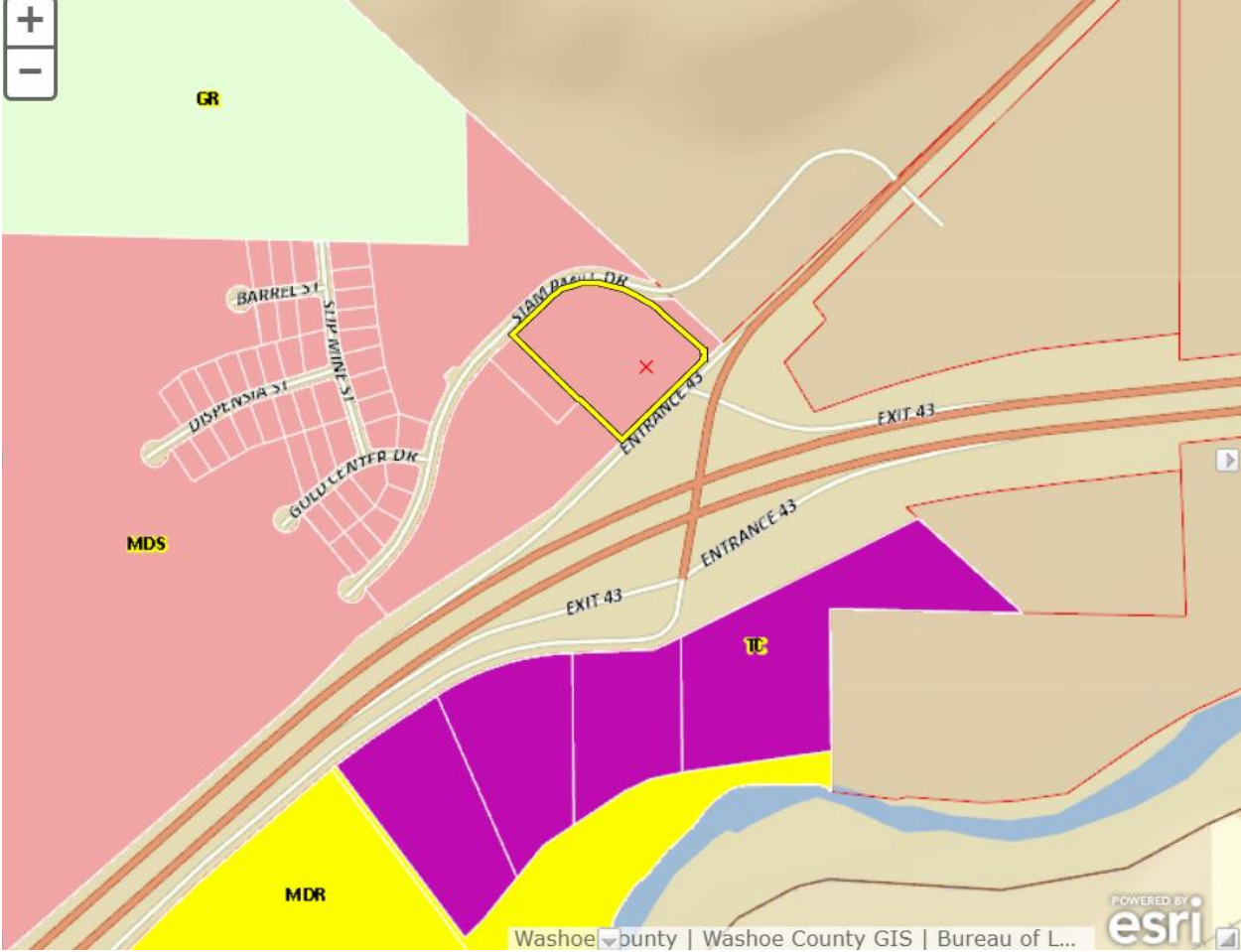
- **Regulatory Zone Amendment**

The third component of this request is a Regulatory Zone Amendment (RZA). Currently, the project site is zoned Medium Density Suburban (MDS). Consistent with the requested Commercial Master Plan designation, it is requested that the zoning for the site be amended to Neighborhood Commercial (NC). Per the Washoe County Development Code, mini storage facilities are allowed in the NC zoning with the approval of a Special Use Permit. This is consistent with the proposed Truckee Canyon Area Modifier discussed above.

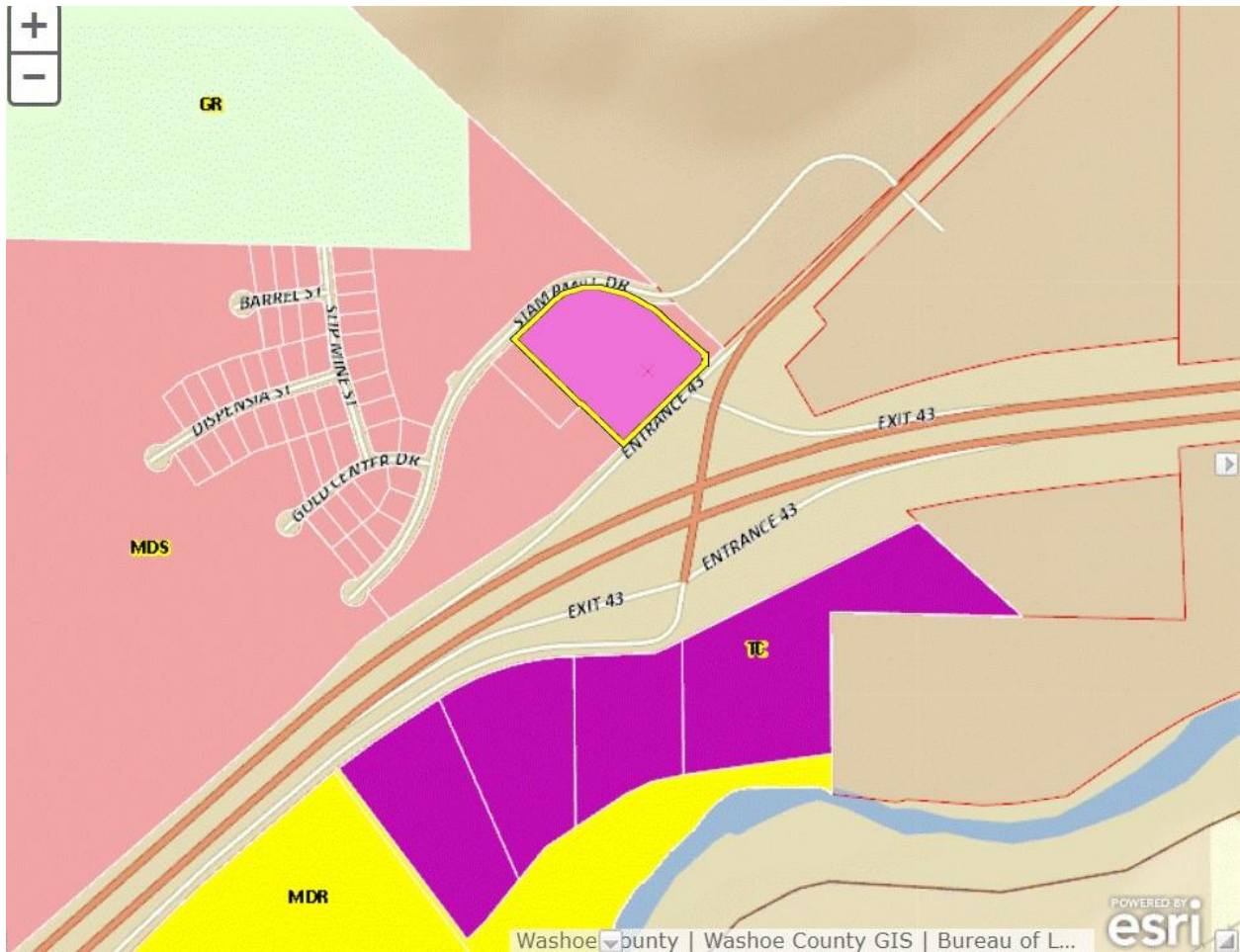
The surrounding properties are a unique combination of zoning designations and uses. Properties to the north and east are zoned either Medium Density Suburban or Tribal Land. To the west, the zoning consists of only Medium Density Suburban. Interstate 80 is located directly south of the site. The properties south of Interstate 80 are designated Tourist Commercial and it is anticipated that commercial uses will be developed on those in the future.

Figure 7 (following page) depicts the existing site zoning while Figure 8 (page 12) depicts the proposed zoning for subject site.

**BLACK ROCK STORAGE**



**Figure 7 – Existing Zoning**



**Figure 8 – Proposed Zoning**

The properties on the north side of Interstate 80, including and surrounding the subject property, are logical places for commercial uses to support not only the existing housing, but any future housing that is built in the area as well. As discussed in the Truckee Canyon Area Plan, it is anticipated that additional commercial land will be required to accommodate future population growth in the area, which is happening due to the continued growth of the Tahoe Reno Industrial Center.

The proposed NC zoning is consistent with the proposed Commercial Master Plan designation and will provide for commercial use that is complementary to the Tourist Commercial designation south of Interstate 80. Establishment of a commercial use at the site can serve to provide needed commercial development within the Truckee Canyon while still retaining the overall community character and feel of the area.

This report later contains a section entitled “Planning Policy Analysis”, and provides a thorough review and analysis of the Washoe County Master Plan and Truckee Canyon Area Plan. In that section, specific items are noted that support the requested change in zoning. These include policies and goals ranging from community character to infrastructure and development regulations.

### **Future Development**

As noted previously, it is intended to follow this MPA/DCA/RZA request with a Special Use Permit, to be submitted at a later date. It is recognized that a future development plan must provide compatibility with surrounding conditions. The review process included with these applications will include presentation before the East Truckee Canyon Citizens Advisory Board, as well as a noticed community meeting. These meetings will allow the applicant to gather community input and incorporate those ideas and concerns into a future development plan.

The forthcoming Special Use Permit process will include a complete public review process including presentation to the Citizens Advisory Board and Board of Adjustment. This MPA, DCA, and RZA application is simply the first step in a lengthy entitlement process and only serves to establish the underlying land use for the project.

### **Planning Policy Analysis**

The proposed requests must be reviewed for consistency with the goals and policies of the Washoe County Master Plan, Truckee Canyon Area Plan, and Truckee Meadows Regional Plan. Each of these planning documents is addressed below:

- **Truckee Canyon Area Plan**

The Truckee Canyon Area Plan is an element of the Washoe County Master Plan that establishes the overall theme and vision that the community has in terms of how they wish to see the Truckee Canyon develop over the next 20 years. Last updated in 2012, there was very little change in the area up until the last two to three years. As the region’s economy continues to grow due in part to the ongoing development of the nearby Tahoe Reno Industrial Center, there is now opportunity to implement change within the plan area, consistent with the goals and policies of the Area Plan.

The Introduction section of the Area Plan states that it “is intended to help guide growth and development while protecting the unique natural resources of the area.” It further goes on to discuss the future development of the Truckee Canyon while maintaining focus on issues such as:

- *Avoiding development on steep slopes*
- *Flood hazards*
- *Areas of severe fire hazard*
- *Avoiding mining and industrial activity*



## BLACK ROCK STORAGE

---

According to the Truckee Canyon Development Suitability map, the site falls within an area designated as “Most Suitable” for development. In addition, portions of the Truckee Canyon Area Plan support the idea of using this parcel for commercial use in general. In the Land Use Plan section (Page 16), it states that “future population projections indicate the need for five acres of general commercial in the planning area”. Modifying the use of this property to allow for the proposed commercial use complies with this section of the Area Plan. In addition, Transportation Policy TC.3.4 discusses the need to “prevent future residential subdivisions from locating residences next to either Interstate 80 or the Southern Pacific Railroad” and requires between 100 and 500 feet setbacks from both. The property, currently designated for residential uses, would not be developable to its fullest based on these standards. By modifying the use to commercial, the property can be fully developed while still complying to Policy TC.3.4.

The Area Plan also contains policies that are applicable to this particular MPA, DCA, and RZA requests. These policies are listed below and are addressed in **bold face** type. It is important to note that many of the policies are not applicable at this time but will be addressed with the forthcoming Special Use Permit (i.e. policies related to grading, utilities, etc.).

*TC.1.3.1 Proposed developments shall be reviewed to ensure the view from Interstate 80 is preserved. Height limitations and setbacks will help preserve the visually predominant ridges and escarpments.*

**The proposed MPA with area modifier to limit the subject property’s use to commercial uses (that do not require new municipal services) with the approval of a Special Use Permit will allow for additional discretionary review that may not have otherwise been required. This will ensure that height limitations, setbacks, buffering and other means of preserving the views from Interstate 80 are at both the staff and Board of Adjustment levels for appropriateness for the area.**

*TC.3.3 Ensure screening and buffering is placed between residential developments and incompatible land uses.*

**The proposed MPA, DCA and RCA will restrict the commercial uses on the property to allow for mini-storage only. This type of use is minimally invasive with low impact to surrounding properties and will help to provide a buffer between adjacent residential uses and future, potentially more incompatible uses. Additionally, the Special Use Permit process proposed with the area modifier will ensure that acceptable transitions and buffering around the mini-storage use will be required with development.**

*TC.3.4 Prevent future residential subdivisions from locating residences next to either Interstate 80 or the Southern Pacific Railroad. Effective shielding and buffering will be planned to provide noise abatement.*

**The proposed MPA and RCA will help to prevent the development of residential uses adjacent to the Interstate 80 right-of-way, and will make it unnecessary to provide shielding and buffering for the purposes of noise abatement from vehicle traffic.**

*TC.3.4.1 Tentative maps shall not locate residences closer than 500 feet line-of-site exposure or 100 feet shielded exposure to the right-of-way of major highways and railroads. Outside noise levels at the residence shall not exceed a maximum of 65 db when trains are passing or 65 Ldn next to Interstate 80.*

**The subject property is located immediately adjacent to the right-of-way of Interstate 80. The site is approximately 565 feet deep, which would render the majority of the site unusable when considering the 500-foot line of site exposure limitation. In addition, due to its proximity to Interstate 80, maintaining noise levels less than 65 Ldn may be difficult to accommodate residential development. These two key issues support limited commercial uses on the site that are compatible with the existing nearby residential uses.**

- **Washoe County Master Plan**

The Washoe County Master Plan contains numerous goals and policies that support the requested Master Plan, Development Code, and Regulatory Zone Amendments included with this application. These policies are listed and addressed below:

***Conservation Element:***

*C.2.1 The Washoe County Department of Community Development shall maintain maps depicting valuable scenic areas, including, but not limited to, prominent ridgelines, playas, and other unique scenic features. These maps shall be used to determine, in part, the land use and public services and facilities appropriate for each planning area. These maps, which may be specific to and contained within each Area plan, shall also be used during development review to identify areas where scenic resource assessment and possible mitigation measures may be required.*

**The subject property does not contain any significant natural features or resources and is identified as an area “most suitable” for development in the Truckee Canyon Area Plan.**

*Goal Three: Regulation or mitigate development to protect environmentally sensitive and/or critical land, water and wildlife resources that present development hazards or serve highly valuable ecological functions.*

**As addressed with Policy C.2.1 above, development of the site will not result in any threat to protected resources, cultural sites, sensitive lands, etc. The project site is flat and well suited for development.**

*C.3.1 The Washoe County Department of Community Development shall adequately consult with other agencies while maintaining Development Suitability Maps that depict valuable and/or critical land, water and wildlife resources or features which shall include, but not be limited to, the following:*

- a. Geothermal and mining areas.
- b. Landslide, avalanche and rockfall areas.
- c. Active and potentially active faults, and areas of potential groundshaking.
- d. Slopes greater than 15 percent.
- e. Sensitive soils.
- f. Key wildlife habitats and migration routes.
- g. Wild fire hazard areas (as specified by the respective fire agency).
- h. One hundred year floodplains.
- i. Perennial and intermittent streams, and wetlands.

*This map series shall be used to determine the land use and public services and facilities appropriate for each planning area. These maps shall also be used during development review to identify areas where more detailed land and water resource information is needed. Where the information indicates a need, measures to protect these resources shall be required. The maps depicting development constraint areas and areas of biodiversity should be used as a reference tool only in reviewing development applications.*

**There are no known natural constraints that would preclude development of the site. The property has been designated as suitable for development in the Truckee Canyon Area Plan. The future proposed Special Use Permit will provide further analysis into any potential development constraints.**

*Goal Ten: Incorporate technical information on geologic hazards into the land use planning and development processes.*

**A review of record data indicates no known geologic hazards. A detailed geotechnical analysis will be included with the future Special Use Permit request.**

*Goal Eighteen: Manage and utilize water resources in a fair and sustainable manner.*

**The mini-storage use that will ultimately be proposed with the requested MPA, DCA and RCA will drastically reduce future water usage on the site as compared to the current zoning of medium density residential. This will allow valuable water resources to be utilized on residential and commercial uses in more appropriate areas within the Truckee Canyon Area Plan.**

***Housing Element:***

The specific proposal to change the Master Plan, Regulatory Zone and Development Code to accommodate a mini-storage does not meet the goals and policies of the Housing Element because it places emphasis on the development of affordable housing. However, the MPA, DCA and RCA for the subject property does support the appropriate location of residential uses, and the promotion of compatible adjacent land uses to existing residential properties. These concepts are supported with the proposed change from residential to commercial use on property adjacent to Interstate 80, and limiting this commercial use to one that will have little impact on nearby residential uses.

### **Land Use and Transportation Element:**

*LUT.2.3.b Encourage development patterns and land uses that can coexist with existing noise generating activities such as high volume roadways, rail lines, flight paths and intense employment activities.*

**Due to the high noise levels generated by major interstates such as Interstate 80, the location of residential uses adjacent to interstates is not the best use of the land. By changing the land use of the subject property from residential to commercial with a limit on the type of commercial activity, better compatibility can be achieved with the surrounding existing residential and interstate uses.**

*LUT.3.5 Area Plans shall identify adequate land, in locations that support the regional form and pattern, for the residential, commercial, civic and industrial development needs for the next 20 years, taking into account land use potential within the cities and existing unincorporated centers, existing vacant lots, and resource and infrastructure constraints.*

**The Truckee Canyon Area Plan has taken into account viable land for future development and has designated the project site as well suited for development. It is currently planned for residential uses, but this is in conflict with other parts of the plan which encourage extensive buffering between residential uses and Interstate 80. Modifying this area for limited commercial use will provide a more appropriate land use adjacent to both the existing residential and Interstate 80.**

*LUT.4.1 Maintain a balanced distribution of land use patterns to:*

- a. Provide opportunities for a variety of land uses, facilities and services that serve present and future populations;*
- b. Promote integrated communities with opportunities for employment, housing, schools, park civic facilities and services essential to the daily life of the residents; and*
- c. Allow housing opportunities for a broad socio-economic population.*

**The modification of the subject property from residential to limited commercial use will provide for a better variety of land uses than what is currently proposed in the Area Plan. It will allow for commercial development on property that is not well suited for residential use due to its proximity to Interstate 80.**

*LUT.25.1 Ensure that development proposals are in conformance with appropriate Master Plan policies and the relevant Area Plan policies.*

**The Planning Policy Analysis included in this report demonstrates the proposed project's conformance with applicable goals and policies of both the Washoe County Master Plan and the Truckee Canyon Area Plan.**

### **Population Element:**

*Goal Three: Plan for a balanced development pattern that includes employment and housing opportunities, public services and open spaces.*

**The modification of the project site's land use from residential to limited commercial will provide for a better land use pattern for the immediate vicinity and will eliminate the conflict of residential development near Interstate 80.**

- **Truckee Meadows Regional Plan**

Master Plan Amendment applications in Washoe County are required to complete a review by the Truckee Meadows Regional Planning Agency. This project advances the goals and policies of the 2012 Truckee Meadows Regional Plan as outlined below in *italic type* and addressed in **bold face type**.

*Goal 1.3 Unincorporated Washoe County within the TMSA will support Module #1 by providing a development pattern that includes a range of residential densities appropriate to the location and typified by medium density, and shall include appropriate neighborhood or local serving retail uses, and employment opportunities designed to reduced trips, enhance housing affordability and promote jobs-housing balance.*

**The proposed amendment will allow for appropriate neighborhood and local serving retail uses in an area where the current residential designation is not appropriate due to the property's proximity to Interstate 80.**

### **Request Findings**

The Washoe County Development Code establishes legal findings that must be made by the Planning Commission and Board of County Commissioners in order to approve Master Plan Amendment, Development Code Amendment, and Regulatory Zone Amendment requests. These findings are listed below and are addressed in **bold face type**.

- **Master Plan Amendment**

When adopting an amendment, the Commission shall make all required findings contained in the area plan for the planning area in which the property that is the subject of the Master Plan amendment is located and, at a minimum, make at least three of the following findings of fact unless a military installation is required to be noticed, then in addition to the above, a finding of fact pursuant to subsection (6) shall also be made:

- (1) Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.

## BLACK ROCK STORAGE

---

**The requested Commercial designation will allow for the establishment of Neighborhood Commercial (NC) zoning. The Neighborhood Commercial zoning is consistent with, the goals, policies, vision, and character statement of the Truckee Canyon Area Plan, as detailed previously within this report.**

- (2) Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.

**The requested amendment represents a decrease in intensification over what currently exists. This will provide for a much more appropriate transition between land uses and is far better suited for the property given surrounding land use patterns. Residential uses would be inappropriate for the site and have the potential to create significant negative impacts within the area in terms of traffic, noise, buffering, etc.**

- (3) Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.

**The proposed C and NC are consistent with the goals, policies, vision, and character statement of the Truckee Canyon Area Plan. Additionally, the project can serve to meet the increased demand for commercial within the region sparked by a large influx of new economic growth that has occurred, and continues to occur, within Washoe County and the surrounding region through the continued growth of the Tahoe Reno Industrial Center and the Burning Man festival.**

- (4) Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.

**All facilities, services, and infrastructure needed to serve the site are existing or, in the case of the well and septic system, will be developed to serve the project site. The proposed change to the Master Plan is aimed at uses that do not require new municipal services and will be provided by an on-site well and septic system at the direction of the County.**

- (5) Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

**With the continued development of the Tahoe Reno Industrial Center, it is anticipated that both commercial and residential development within the Truckee Canyon/Wadsworth area will increase. The proposed changes to the Master Plan allows for orderly physical growth and complies with the policies of the Truckee Canyon Area Plan.**

- (6) Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of the military installation.

**Not applicable.**

- **Development Code Amendment**

- (1) The proposed Development Code Amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan.

**The proposed Truckee Canyon Area Modifier is in compliance with the policies and action programs of the Washoe County Master Plan. Specifically, the policies and recommendations of the Truckee Canyon Area Plan recognize the need for commercial uses within this area and prohibit residential uses on properties adjacent to Interstate 80 such as the subject property.**

- (2) The proposed Development Code Amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code.

**The proposed Development Code Amendment will not adversely impact the public health, safety, or welfare. This project will comply with all development standards outlined in the Washoe County Code in terms of such things as setbacks, circulation, and landscaping. There will be no significant impact to traffic because the future mini storage use will be utilized by current residents of the area and traffic that would normally be driving through the area getting on and off Interstate 80.**

- (3) The proposed Development Code Amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones.

**The proposed Development Code Amendment is in direct response to changed conditions in the area since the Development Code was adopted. With the continuing development of the Tahoe-Reno Industrial Center and the subsequent population increase, this area of the Truckee Canyon is ideal for commercial uses for both nearby residents and commuters driving along this stretch of Interstate 80.**

- (4) The proposed Development Code Amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

**The proposed Development Code Amendment will not adversely affect the implementation of either the Conservation Element or the Population Element of the Washoe County Master Plan. The subject property will not affect any scenic, water, or air quality resources as defined in the Master Plan. The Development Constraints Map within the Conservation Element shows that the property is**

**“unconstrained” with no resource conflicts. The Population Element is not affected by the proposed Development Code Amendment because no residential uses are proposed for this site.**

- **Regulatory Zone Amendment**

- (1) Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.

**As detailed in the Planning Policy Analysis section of this report the requested RZA serves to implement numerous goals and policies of the Washoe County Master Plan and the Spanish Springs Area Plan.**

- (2) Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.

**This request does not grant the absolute right to develop the parcel. Instead, it establishes the land use framework that will allow for future consideration of a commercial development, specifically mini storage. At that time, project specific impacts can be evaluated during a public review process and appropriate conditions can be added or changes made. From a pure land use perspective, neighborhood commercial is appropriate with the surrounding uses and is more compatible than the existing residential designations due to development restrictions along Interstate 80.**

- (3) Response to Change Conditions.; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.

**The proposed Neighborhood Commercial zoning is consistent with the goals, policies, vision, and character statement of the Truckee Canyon Area Plan. Additionally, the project can serve to meet the increased demand for commercial within the region sparked by a large influx of new economic growth that has occurred, and continues to occur, within Washoe County and the surrounding region through the continued growth of the Tahoe Reno Industrial Center and the Burning Man festival.**

- (4) Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.

**All facilities, services, and infrastructure needed to serve the site are existing or, in the case of the well and septic system, will be developed to serve the project site. The proposed change to the Master Plan is aimed at uses that do not require new municipal services and will be provided by an on-site well and septic system at the direction of the County.**



- (5) No Adverse Affects. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.

**As detailed in the Planning Policy Analysis section of this report, the project actually serves to implement goals and policies of the Master Plan and Area Plan. In fact, it is almost certain that additional goals and policies will be implemented with future development of a commercial use at the site.**

- (6) Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

**With the continued development of the Tahoe Reno Industrial Center, it is anticipated that both commercial and residential development within the Truckee Canyon/Wadsworth area will increase. The proposed change to the regulatory zoning allows for orderly physical growth and complies with the policies of the Truckee Canyon Area Plan.**

- (7) Effect on a Military Installation When a Military Installation is Required to be Noticed. The proposed amendment will not affect the location, purpose, and mission of the military installation.

**Not applicable.**

Community Services Department  
Planning and Building  
MASTER PLAN AMENDMENT  
APPLICATION



Community Services Department  
Planning and Building  
1001 E. Ninth St., Bldg. A  
Reno, NV 89520

Telephone: 775.328.6100

## Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <b>Black Rock Storage</b>			
Project Description: Master Plan Amendment to 1) amend the Truckee Canyon Area Plan to allow commercial master plan categories and commercial regulatory zoning for use types that do not require new municipal services; 2) add a statement or policy restricting the commercial use types allowed; and 3) amend the existing Suburban Residential master plan designation of the site to Commercial.			
Project Address: N/A			
Project Area (acres or square feet): 5.399 acres			
Project Location (with point of reference to major cross streets <b>AND</b> area locator): Interstate 80 at Exit 43 (Wadsworth); Specifically north of I-80, south of Stampmill Dr., and east of the existing TMFPD station.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
084-291-04	5.399 acres		
Section(s)/Township/Range: T20, R24, S08			
<b>Indicate any previous Washoe County approvals associated with this application:</b>			
Case No.(s). None			
<b>Applicant Information</b> (attach additional sheets if necessary)			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: Vector Account, LLC		Name: Rubicon Design Group, LLC	
Address: 240 Grapevine Ravine Road		Address: 1610 Montclair Avenue, Suite B	
Newcastle, CA	Zip: 95658	Reno, NV	Zip: 89509
Phone: N/A	Fax: N/A	Phone: 775-393-0035	Fax: N/A
Email: N/A		Email: mrambo@rubicondesigngroup.com	
Cell: N/A	Other: N/A	Cell: 775-393-0035	Other: N/A
Contact Person: N/A		Contact Person: Michele Rambo, AICP	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name: Black Rock Storage, LLC		Name: N/A	
Address: 681 Edison Way		Address:	
Reno, NV	Zip: 89502		Zip:
Phone: 775-336-7555	Fax: N/A	Phone:	Fax:
Email: tom@sierrageneral.com		Email:	
Cell: 775-336-7555	Other: N/A	Cell:	Other:
Contact Person: Tom Ortiz		Contact Person:	
<b>For Office Use Only</b>			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

# Master Plan Amendment Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to Master Plan amendments may be found in Article 820, Amendment of Master Plan.

The Washoe County Master Plan describes how the physical character of the County exists today and is planned for the future. The plan is adopted by the community and contains information, policies and a series of land use maps. The Master Plan provides the essential framework for creating a healthy community system and helps guide decisions about growth and development in the County. The following are general types of requests the County receives to amend the Master Plan. Please identify which type of amendment you are requesting:

<input checked="" type="checkbox"/> A request to change a master plan designation(s) from the adopted master plan and/or area plan maps
<input checked="" type="checkbox"/> A request to add, amend, modify or delete any of the adopted policies found in the elements of the Master Plan
<input checked="" type="checkbox"/> A request to add, amend, modify or delete any of the adopted policies in the area plans
<input checked="" type="checkbox"/> A request to add, amend, modify or delete specific language found in the area plans
<input type="checkbox"/> Other (please identify):

Please complete this questionnaire to ensure consistent review of your request to amend the Washoe County Master Plan. Staff will review the application to determine if the amendment request is in conformance with the policies and language within the elements and area plans of the Master Plan or if the information provided supports a change to the plan. Please provide a brief explanation to all questions.

1. What is the Master Plan amendment being requested at this time?

1) Change the Truckee Canyon Area Plan to allow commercial master plan categories and commercial regulatory zoning for use types that do not require new municipal services. 2) Add a statement or policy restricting the commercial use types allowed. 3) Amend the existing Suburban Residential master plan designation of the site to Commercial.
---

2. What conditions have changed and/or new studies have occurred since the adoption of the Washoe County Master Plan that supports the need for the amendment request?

The development and continued growth of the Tahoe Reno Industrial Park and the increased attendance of Burning Man every year have changed the character of Wadsworth and surrounding areas. This has created additional need for smaller commercial uses in the area.

3. Please provide the following specific information.
- a. What is the location (address or distance and direction from nearest intersection)? Please attach a legal description.

Interstate 80 at Exit 43 (Wadsworth); Specifically north of I-80, south of Stampmill Drive, and east of (adjacent to) the existing TMFPD station.

- b. Please list the following (attach additional sheet if necessary):

APN of Parcel	Master Plan Designation	Existing Acres	Proposed Master Plan Designation	Proposed Acres
084-291-04	Suburban Residential	5.399 acres	Commercial	5.399

c. What are the adopted land use designations of adjacent parcels?

North	Suburban Residential/Tribal Land
South	Interstate 80/Commercial
East	Tribal Land/Interstate 80
West	Suburban Residential

4. Describe the existing conditions and uses located at the site or in the vicinity (i.e. vacant land, roadways, buildings, etc.):

Site = Vacant  
North = Vacant  
South = Interstate 80  
East = Vacant  
West = Fire Station/Stampmill Estates (approximately 400 feet away)

5. Describe the natural resources associated with the site under consideration. Your description should include resource characteristics such as water bodies, vegetation, topography, minerals, soils and wildlife habitat.

The site consists of typical desert scrub brush with a few trees. The site is generally flat with no known minerals or wildlife habitat and consists of sandy soil.

6. Describe whether any of the following natural resources or systems are related to the proposed amendment:

- a. Is property located in the 100-year floodplain? (If yes, please attach documentation of the extent of the floodplain and any proposed floodplain map revisions in compliance with Washoe County Development Code, Article 416, Flood Hazards, and consultation with the Washoe County Engineering.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

Per FEMA FIRM panel 32031C3131G, the site is outside of the 100-year floodplain.
--

- b. Does property contain wetlands? (If yes, please attach a preliminary delineation map and describe the impact the proposal will have on the wetlands. Impacts to the wetlands may require a permit issued from the U.S. Army Corps of Engineers.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

The site does not contain any wetlands.
---

- c. Does property contain slopes or hillsides in excess of 15 percent and/or significant ridgelines? (If yes, please note the slope analysis requirements contained in Article 424, Hillside Development of the Washoe County Development Code.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

The site is generally flat with a small natural slope from north to south.
--

- d. Does property contain geologic hazards such as active faults; hillside or mountainous areas; is subject to avalanches, landslides, or flash floods; is near a stream or riparian area such as the Truckee River, and/or an area of groundwater recharge?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

<p>Per the USGS map of the area, there are no active faults near the site. The site is generally flat with no potential for avalanche or landslides. The Truckee River is located approximately 1/4 mile to the south.</p>
--

- e. Does property contain prime farmland; is within a wildfire hazard area, geothermal or mining area, and/or wildlife mitigation route?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

<p>The site does not contain any farmland. Per the Washoe County mapping system, the site is located in a low fire hazard area. There are no known mining, geothermal activity, or wildlife migration routes.</p>
---

7. Please describe whether any archaeological, historic, cultural, or scenic resources are in the vicinity or associated with the proposed amendment:

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

<p>No known archaeological, historical, cultural, or scenic resources are located in close proximity to the site.</p>
---



8. Do you own sufficient water rights to accommodate the proposed amendment? (Amendment requests in some groundwater hydrographic basins [e.g. Cold Springs, Warm Springs, etc.] require proof of water rights be submitted with applications. Please provide copies of all water rights documents, including chain of title to the original water right holder.)

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------

If yes, please identify the following quantities and documentation numbers relative to the water rights:

a. Permit #	35581 and 35582	acre-feet per year	7.10
b. Certificate #		acre-feet per year	
c. Surface Claim #		acre-feet per year	
d. Other #		acre-feet per year	

- e. Please attach a copy(s) of the water rights title (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources):

A water rights title will be filed at the time of development. In the meantime, the applicant has a Banking Agreement with TMWA for use of 7.10 acre-feet of water per year (attached).

- f. If the proposed amendment involves an intensification of land use, please identify how sufficient water rights will be available to serve the additional development.

The proposed amendment does not involve an intensification of use. In fact, the mini-storage use that will ultimately be developed on the site is far less intense than the number of residential units that could fit on this site. In addition, due to the language found in the associated Development Code Amendment application, intense commercial uses could not be permitted on the site.

9. Please describe the source and timing of the water facilities necessary to serve the amendment:

a. System Type:

<input checked="" type="checkbox"/> Individual wells		
<input type="checkbox"/> Private water	Provider:	
<input type="checkbox"/> Public water	Provider:	

b. Available:

<input checked="" type="checkbox"/> Now	<input type="checkbox"/> 1-3 years	<input type="checkbox"/> 3-5 years	<input type="checkbox"/> 5+ years
---	------------------------------------	------------------------------------	-----------------------------------

c. Washoe County Capital Improvements Program project?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

d. If a public facility is proposed and is currently not listed in the Washoe County Capital Improvements Program and not available, please describe the funding mechanism for ensuring availability of water service:

N/A
-----

10. What is the nature and timing of sewer services necessary to accommodate the proposed amendment?

a. System Type:

<input checked="" type="checkbox"/> Individual septic		
<input type="checkbox"/> Public system	Provider:	

b. Available:

<input checked="" type="checkbox"/> Now	<input type="checkbox"/> 1-3 years	<input type="checkbox"/> 3-5 years	<input type="checkbox"/> 5+ years
---	------------------------------------	------------------------------------	-----------------------------------

c. Washoe County Capital Improvements Program project?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

- d. If a public facility is proposed and is currently not listed in the Washoe County Capital Improvements Program and not available, please describe the funding mechanism for ensuring availability of sewer service. If a private system is proposed, please describe the system and the recommended location(s) for the proposed facility.

N/A

11. Please identify the street names and highways near the proposed amendment that will carry traffic to the regional freeway system.

Stampmill Drive and State Route 427

12. Will the proposed amendment impact existing or planned transportation systems? (If yes, a traffic report will be required. See attached Traffic Impact Report Guidelines.)

Yes  No

13. Community Services (provided and nearest facility):

a. Fire Station	TMFPD - Adjacent
b. Health Care Facility	Northern Nevada Medical Center - Sparks
c. Elementary School	Natchez Elementary - Wadsworth
d. Middle School	Mendive Middle School - Sparks
e. High School	Reed High School - Sparks
f. Parks	Lockwood Park - Lockwood
g. Library	Lyon County Library - Fernley
h. Citifare Bus Stop	Sparks

14. Describe how the proposed amendment fosters, promotes or complies with the policies of the adopted area plans and elements of the Washoe County Master Plan:

a. Population Element:

Please see the Planning Policy Analysis included in the supporting report for this request.

b. Conservation Element:

Please see the Planning Policy Analysis included in the supporting report for this request.

c. Housing Element:

Please see the Planning Policy Analysis included in the supporting report for this request.

d. Land Use and Transportation Element:

Please see the Planning Policy Analysis included in the supporting report for this request.

e. Public Services and Facilities Element:

Not applicable.

f. Adopted area plan(s):

Please see the Planning Policy Analysis included in the supporting report for this request.

15. If the area plan includes a Plan Maintenance component, address all policies and attach all studies and analysis required by the Plan Maintenance criteria.

Not applicable.

Community Services Department  
Planning and Building  
DEVELOPMENT CODE AMENDMENT  
APPLICATION



Community Services Department  
Planning and Building  
1001 E. Ninth St., Bldg. A  
Reno, NV 89520

Telephone: 775.328.6100

## Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

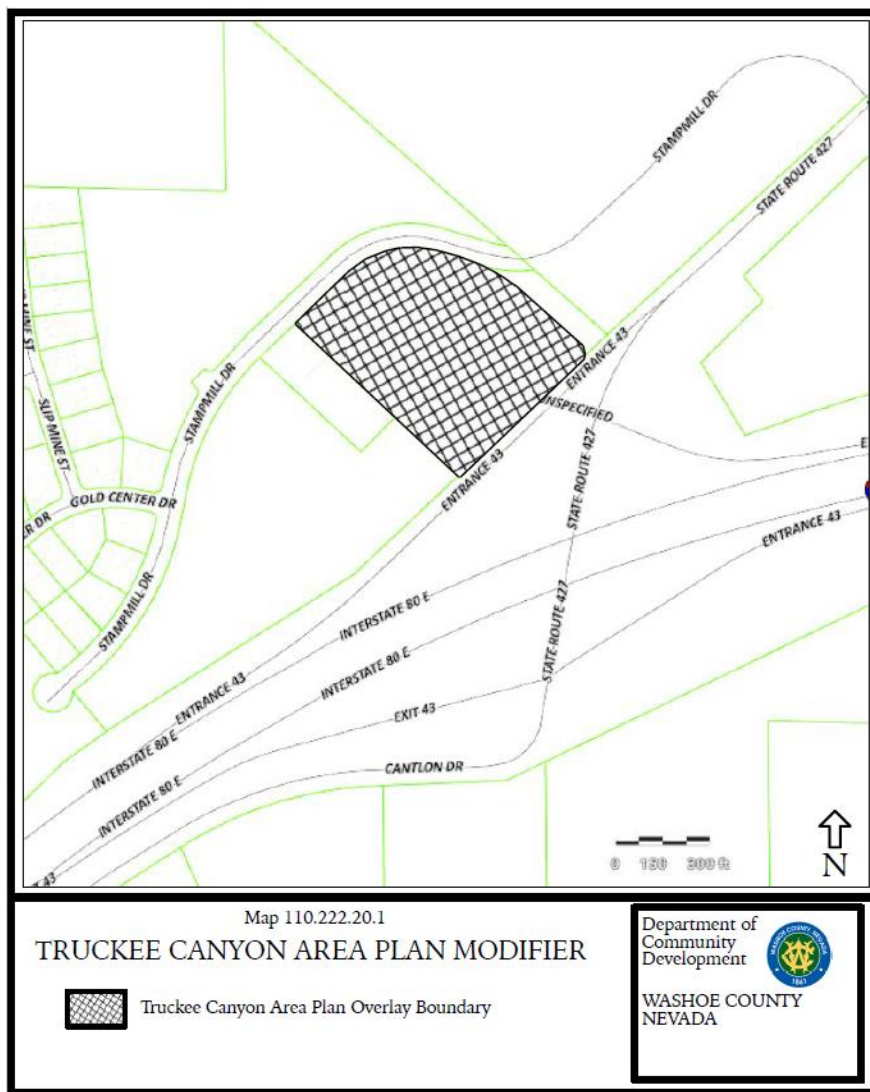
<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <b>Black Rock Storage</b>			
Project Description: Development Code Amendment adding Article 222 (Truckee Canyon Area Plan Modifier) to allow specific use types in the Neighborhood Commercial regulatory zone subject to a Special Use Permit (approved by the Board of Adjustment) only if the use does not require new municipal services.			
Project Address: N/A			
Project Area (acres or square feet): 5.399 acres			
Project Location (with point of reference to major cross streets <b>AND</b> area locator): Interstate 80 at Exit 43 (Wadsworth); Specifically north of I-80, south of Stampmill Dr., and east of the existing TMFPD station.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
084-291-04	5.399 acres		
Section(s)/Township/Range: T20, R24, S08			
<b>Indicate any previous Washoe County approvals associated with this application:</b> Case No.(s). None			
<b>Applicant Information</b> (attach additional sheets if necessary)			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: Vector Account, LLC		Name: Rubicon Design Group	
Address: 240 Grapevine Ravine Road		Address: 1610 Montclair Avenue, Suite B	
Newcastle, CA	Zip: 95658	Reno, NV	Zip: 89509
Phone: N/A	Fax: N/A	Phone: 775-393-0035	Fax: N/A
Email: N/A		Email: mrambo@rubicondesigngroup.com	
Cell: N/A	Other: N/A	Cell: 775-393-0035	Other: N/A
Contact Person: N/A		Contact Person: Michele Rambo, AICP	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name: Black Rock Storage, LLC		Name: N/A	
Address: 681 Edison Way		Address:	
Reno, NV	Zip: 89502		Zip:
Phone: 775-336-7555	Fax: N/A	Phone:	Fax:
Email: tom@sierrageneral.com		Email:	
Cell: 775-336-7555	Other: N/A	Cell:	Other:
Contact Person: Tom Ortiz		Contact Person:	
<b>For Office Use Only</b>			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

**110.222.20 Truckee Canyon Area Modifier.** The purpose of this section is to establish regulations to support limited commercial development within a specific area of the Truckee Canyon when no new municipal services are required.

- (a) **Applicability.** Limited commercial development shall be restricted to one (1) parcel located within the Truckee Canyon area as outlined in Map 110.222.20.1 designated with a Neighborhood Commercial (NC) regulatory zone with an approved special use permit by the Washoe County Board of Adjustment pursuant to Article 810.

Map 110.222.20.1

**TRUCKEE CANYON AREA MODIFIER LOCATION MAP**



Source: Washoe County Department of Community Development



(1) Allowed Uses. The Table of Uses as set forth in Section 110.302.05 is modified in the following manner:

(i) Commercial Use Type. The following commercial use type as listed in Table 110.302.05.3, Table of Uses (Commercial Use Types), shall be allowed with a Special Use Permit approved by the Board of Adjustment:

(1) Mini Storage.

Community Services Department  
Planning and Building  
REGULATORY ZONE AMENDMENT  
APPLICATION



Community Services Department  
Planning and Building  
1001 E. Ninth St., Bldg. A  
Reno, NV 89520

Telephone: 775.328.6100

## Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <b>Black Rock Storage</b>			
Project Description: Regulatory Zone Amendment to change Medium Density Residential (MDS) zoning to Neighborhood Commercial (NC).			
Project Address: N/A			
Project Area (acres or square feet): 5.399 acres			
Project Location (with point of reference to major cross streets <b>AND</b> area locator): Interstate 80 at Exit 43 (Wadsworth); Specifically north of I-80, south of Stampmill Dr., and east of the existing TMFPD station.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
084-291-04	5.399		
Section(s)/Township/Range: T20, R24, S08			
<b>Indicate any previous Washoe County approvals associated with this application:</b> Case No.(s). None			
<b>Applicant Information</b> (attach additional sheets if necessary)			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: Vector Account, LLC		Name: Rubicon Design Group, LLC	
Address: 240 Grapevine Ravine Road		Address: 1610 Montclair Avenue, Suite B	
Newcastle, CA	Zip: 95658	Reno, NV	Zip: 89509
Phone: N/A	Fax: N/A	Phone: 775-393-0035	Fax: N/A
Email: N/A		Email: mrambo@rubicondesigngroup.com	
Cell: N/A	Other: N/A	Cell: 775-393-0035	Other: N/A
Contact Person: N/A		Contact Person: Michele Rambo, AICP	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name: Black Rock Storage, LLC		Name: N/A	
Address: 681 Edison Way		Address:	
Reno, NV	Zip: 89502		Zip:
Phone: 775-336-7555	Fax: N/A	Phone:	Fax:
Email: tom@sierrageneral.com		Email:	
Cell: 775-336-7555	Other: N/A	Cell:	Other:
Contact Person: Tom Ortiz		Contact Person:	
<b>For Office Use Only</b>			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

# Regulatory Zone Amendment Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to Regulatory Zone amendments may be found in Article 821, Amendment of Regulatory Zone.

Please complete this questionnaire to ensure consistent review of your request to amend the Washoe County Zoning Map. Please provide a brief explanation to all questions answered in the affirmative.

1. Please describe the Regulatory Zone amendment request:

Regulatory Zone Amendment to change Medium Density Residential (MDS) zoning to Neighborhood Commercial (NC).

2. List the Following information regarding the property subject to the Regulatory Zone Amendment.

a. What is the location (address, assessor's parcel number or distance and direction from nearest intersection)?

Interstate 80 at Exit 43 (Wadsworth); Specifically north of I-80, south of Stampmill Dr., and east of the existing TMFPD station.

b. Please list the following (attach additional sheet if necessary):

APN of Parcel	Master Plan Designation	Current Zoning	Existing Acres	Proposed Zoning	Proposed Acres
084-291-04	Suburban Residential	Med. Density Res.	5.399	Neighborhood Comm	5.399

c. What are the regulatory zone designations of adjacent parcels?

	Zoning	Use (residential, vacant, commercial, etc.)
North	MDS/Tribal Land	Vacant
South	I-80/Tourist Comm.	Interstate 80
East	MDS/I-80/Tribal	Vacant
West	MDS	Fire Station/Residential 400 ft. away

3. Describe the existing conditions and uses located at the site or in the vicinity (i.e. vacant land, roadways, easements, buildings, etc.):

Site = Vacant  
 North = Vacant  
 South = Interstate 80  
 East = Vacant  
 West = Fire Station/Stampmill Estates (approximately 400 feet away)

4. Describe the natural resources associated with the site under consideration. Your description should include resource characteristics such as water bodies, vegetation, topography, minerals, soils and wildlife habitat.

The site consists of typical desert scrub brush with a few trees. The site is generally flat with no known minerals or wildlife habitat and consists of sandy soil. The site is generally flat with a small natural slope from north to south.

5. Does the property contain development constraints such as floodplain or floodways, wetlands, slopes or hillsides in excess of 15%, geologic hazards such as active faults, significant hydrologic resources or major drainages or prime farmland?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

Per FEMA FIRM panel 32031C3131G, the site is outside of the 100-year floodplain. The site does not contain any wetlands. Per the USGS map of the area, there are no active faults near the site. The site is generally flat with no potential for avalanche or landslides. The Truckee River is located approximately 1/4 mile to the south. The site does not contain any farmland. Per the Washoe County mapping system, the site is located in a low fire hazard area. There are no known mining, geothermal activity, or wildlife migration routes.

6. Please describe whether any archaeological, historic, cultural, or scenic resources are in the vicinity or associated with the proposed amendment:

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

No known archaeological, historical, cultural, or scenic resources are located in close proximity to the site.

7. Do you own sufficient water rights to accommodate the proposed amendment? (Amendment requests in some groundwater hydrographic basins [e.g. Cold Springs, Warm Springs, etc.] require proof of water rights be submitted with applications. Please provide copies of all water rights documents, including chain of title to the original water right holder.)

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------

If yes, please identify the following quantities and documentation numbers relative to the water rights:

a. Permit #	35581 and 35582	acre-feet per year	7.10
b. Certificate #		acre-feet per year	
c. Surface Claim #		acre-feet per year	
d. Other #		acre-feet per year	

- e. Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources):

A water rights title will be filed at the time of development. In the meantime, the applicant has a Banking Agreement with TMWA for use of 7.10 acre-feet of water per year (attached to the associated MPA application).

- f. If the proposed amendment involves an intensification of land use, please identify how sufficient water rights will be available to serve the additional development.

The proposed amendment does not involve an intensification of use. In fact, the mini-storage use that will ultimately be developed on the site is far less intense than the number of residential units that could fit on this site. In addition, due to the language found in the associated Development Code Amendment application, intense commercial uses could not be permitted on the site.

8. Please describe the source and timing of the water facilities necessary to serve the amendment:

a. System Type:

<input checked="" type="checkbox"/> Individual wells		
<input type="checkbox"/> Private water	Provider:	
<input type="checkbox"/> Public water	Provider:	

b. Available:

<input checked="" type="checkbox"/> Now	<input type="checkbox"/> 1-3 years	<input type="checkbox"/> 3-5 years	<input type="checkbox"/> 5+ years
---	------------------------------------	------------------------------------	-----------------------------------

c. Is this part of a Washoe County Capital Improvements Program project?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

d. If a public facility is proposed and is currently not listed in the Washoe County Capital Improvements Program and not available, please describe the funding mechanism for ensuring availability of water service:

N/A
-----

9. What is the nature and timing of sewer services necessary to accommodate the proposed amendment?

a. System Type:

<input checked="" type="checkbox"/> Individual septic		
<input type="checkbox"/> Public system	Provider:	

b. Available:

<input checked="" type="checkbox"/> Now	<input type="checkbox"/> 1-3 years	<input type="checkbox"/> 3-5 years	<input type="checkbox"/> 5+ years
---	------------------------------------	------------------------------------	-----------------------------------

c. Is this part of a Washoe County Capital Improvements Program project?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--



- d. If a public facility is proposed and is currently not listed in the Washoe County Capital Improvements Program and not available, please describe the funding mechanism for ensuring availability of sewer service. If a private system is proposed, please describe the system and the recommended location(s) for the proposed facility.

N/A

10. Please identify the street names and highways near the proposed amendment that will carry traffic to the regional freeway system.

Stampmill Drive and State Route 427

11. Will the proposed amendment impact existing or planned transportation systems? (If yes, a traffic report will be required. See attached Traffic Impact Report Guidelines.)

Yes  No

12. Community Services (provided and nearest facility):

a. Fire Station	TMFPD - Adjacent
b. Health Care Facility	Northern Nevada Medical Center - Sparks
c. Elementary School	Natchez Elementary - Wadsworth
d. Middle School	Mendive Middle School - Sparks
e. High School	Reed High School - Sparks
f. Parks	Lockwood Park - Lockwood
g. Library	Lyon County Library - Fernley
h. Citifare Bus Stop	Sparks

## Projects of Regional Significance Information – for Regulatory Zone Amendments

Nevada Revised Statutes 278.026 defines “Projects of Regional Significance”. Regulatory Zone amendment requests for properties within the jurisdiction of the Truckee Meadows Regional Planning Commission (TMRPC) must respond to the following questions. A “Yes” answer to any of the following questions may result in the application being referred first to the Truckee Meadows Regional Planning Agency for submission as a project of regional significance. Applicants should consult with County or Regional Planning staff if uncertain about the meaning or applicability of these questions.

1. Will the full development potential of the Regulatory Zone amendment increase employment by not less than 938 employees?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

2. Will the full development potential of the Regulatory Zone amendment increase housing by 625 or more units?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

3. Will the full development potential of the Regulatory Zone amendment increase hotel accommodations by 625 or more rooms?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

4. Will the full development potential of the Regulatory Zone amendment increase sewage by 187,500 gallons or more per day?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

5. Will the full development potential of the Regulatory Zone amendment increase water usage by 625 acre-feet or more per year?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

6. Will the full development potential of the Regulatory Zone amendment increase traffic by 6,250 or more average daily trips?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

7. Will the full development potential of the Regulatory Zone amendment increase the student population from kindergarten to 12<sup>th</sup> grade by 325 students or more?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

# Property Owner Affidavit

**Applicant Name:** Black Rock Storage, LLC/Tom Orliz

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

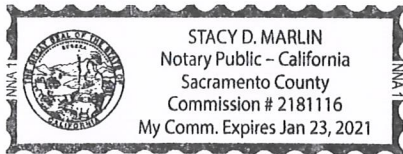
STATE OF NEVADA        )  
  )  
COUNTY OF WASHOE    )

I, John Brasher  
(please print name)

being duly sworn, depose and say that I am the owner\* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

**(A separate Affidavit must be provided by each property owner named in the title report.)**

Assessor Parcel Number(s): 084-291-04



Printed Name John Brasher

Signed John Brasher

Address 240 Grapevine Ravine Road

Newcastle, CA 95658

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

*see attached*

(Notary Stamp)

Notary Public in and for said county and state

My commission expires: \_\_\_\_\_

\*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Sacramento )

On 11-13-17 before me, Gail D. Marlin  
Date Here Insert Name and Title of the Officer

personally appeared John Brasher  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Gail D. Marlin  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Property Owner Affidavit Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Washoe County Treasurer  
 Tammi Davis

Account Detail

[Back to Account Detail](#)

[Change of Address](#)

[Print this Page](#)

Washoe County Parcel Information		
Parcel ID	Status	Last Update
08429104	Active	1/16/2018 2:11:32 AM
<b>Current Owner:</b> VECTOR ACCOUNT LLC  240 GRAPEVINE RAVINE LN NEWCASTLE, CA 95658		<b>SITUS:</b> 0 STAMPMILL DR WCTY NV
<b>Taxing District</b>	<b>Geo CD:</b>	
Legal Description		
Township 20 Section 8 SubdivisionName _UNSPECIFIED Range 24		

Tax Bill (Click on desired tax year for due dates and further details)					
Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Balance Due
<a href="#">2017</a>	\$257.85	\$257.85	\$0.00	\$0.00	\$0.00
<a href="#">2016</a>	\$247.88	\$250.36	\$0.00	\$0.00	\$0.00
<a href="#">2015</a>	\$244.96	\$244.96	\$0.00	\$0.00	\$0.00
<a href="#">2014</a>	\$244.96	\$264.56	\$0.00	\$0.00	\$0.00
<a href="#">2013</a>	\$1,218.66	\$1,373.47	\$0.00	\$0.00	\$0.00
Total					\$0.00

Important Payment Information
<ul style="list-style-type: none"> <li><b>ALERTS:</b> If your real property taxes are delinquent, the search results displayed may not reflect the correct amount owing. Please contact our office for the current amount due.</li> <li>For your convenience, online payment is available on this site. E-check payments are accepted without a fee. However, a service fee does apply for online credit card payments. See Payment Information for details.</li> </ul>

**Pay Online**

No payment due for this account.

**\$0.00**

**Pay By Check**

Please make checks payable to:  
**WASHOE COUNTY TREASURER**

**Mailing Address:**  
 P.O. Box 30039  
 Reno, NV 89520-3039

**Overnight Address:**  
 1001 E. Ninth St., Ste D140  
 Reno, NV 89512-2845

**Payment Information**

**Special Assessment District**

**Installment Date Information**

**Assessment Information**

The Washoe County Treasurer's Office makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. If you have any questions, please contact us at (775) 328-2510 or tax@washoecounty.us

This site is best viewed using Google Chrome, Internet Explorer 11, Mozilla Firefox or Safari.

# Stanka Consulting, LTD

A Professional Engineering Company

3032 Silver Sage Drive, Suite 101  
Carson City, Nevada 89701  
[markj@stankaconsulting.com](mailto:markj@stankaconsulting.com)  
(775) 885-9283

---

John Brasher  
The Vector Accounts, LLC  
6233 Blacktop Road  
Rio Linda, CA 95673

December 15, 2016

Subject: *Assignment of Interest and Banking Agreement for water rights near  
Wadsworth, NV*

Mr. Brasher,

Stank Consulting was retained by Tom Ortiz to review the water rights appurtenant to your two properties near Wadsworth, NV, and provide technical assistance for the banking agreement and assignments of interest in regards to the water rights. The water rights are permits 35581 and 35582. They are appurtenant to Washoe County parcels 084-291-04 and -11.

I am attaching the banking agreement and the assignment of interest documents with this letter for your signature. These documents were prepared by the Truckee Meadows Water Authority [TMWA], the water purveyor in the Reno-Sparks area and the current owner of the water right permits listed above.

The assignment of interest will allow The Vector Accounts to use the water which has been banked with TMWA for development on the two parcels owned by Vector Accounts. The banking agreement allows TMWA to manage the rights and use them for their purposes until such time as The Vector Accounts notifies TMWA of their desire to utilize the rights. This is a very brief summary of the agreements and you may review the agreements to understand them more fully.

If you would please sign the agreements, have them notarized and then return them to this office it would be greatly appreciated. If you have any questions regarding the agreements please feel free to call either this office at the number above or the offices of TMWA at 775-834-8053.

Thank you.

Mark Johnson, P.E., WRS



Stanka Consulting, LTD



## ASSIGNMENT OF BENEFICIAL INTEREST IN WATER RIGHTS

(Full Assignment/Banking Agreement)

This ASSIGNMENT OF BENEFICIAL INTEREST IN WATER RIGHTS (“Assignment”), dated for identification purposes as of the 12<sup>th</sup> day of December, 2016, is made by and between Plumas Bank (“Assignor”) and The Vector Accounts, LLC (“Assignee”) and is consented and agreed to by the Truckee Meadows Water Authority, a joint powers authority (“TMWA”).

WHEREAS, Assignor has conveyed to Truckee Meadows Water Authority (TMWA) 7.10 AF of total combined duty (TCD) of water and water rights (“Water Rights”) described as a portion of Permit Nos. 35581 and 35582, more particularly described in Exhibit “A” attached hereto and incorporated herein by reference, which TMWA agreed to hold for the beneficial use of Assignee; and

WHEREAS, as of the date of this Assignment, Assignor has 7.10 AF (TCD) of uncommitted Water Rights held by TMWA for the benefit of Assignee’s future uses within TMWA’s Truckee Meadows Resource Area; and

WHEREAS, Assignor and Assignee desires Assignor to assign all of its beneficial right, title and interest to the use of **7.10 AF** (TCD) of the Water Rights to Assignee.

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor, Assignee and TMWA agree as follows:

1. **Assignment of Beneficial Interest.** Assignor hereby assigns to Assignee all of Assignor’s beneficial right, title and interest to the use of 7.10AF (TCD) of the Water Rights (portion of Permit Nos. 35581 & 35582) (“Assigned Water Rights”) held by TMWA on behalf of and for the benefit of the Assignor pursuant to the Banking Agreement. This assignment is subject to and conditional upon, and Assignee hereby accepts, the terms and conditions set forth in the Banking Agreement and TMWA Rule 7.

2. **Banking Agreement.** With respect to the Assigned Water Rights, Assignee hereby agrees to execute concurrently herewith a banking agreement with TMWA in the form attached hereto as to the Assigned Water Rights, and acknowledges and agrees that execution of the attached banking agreement is a condition precedent to TMWA’s consent of the foregoing assignment.

IN WITNESS WHEREOF, the parties hereto have caused their names to be hereunto subscribed the day and year first above written.

ASSIGNOR PLUMAS BANK By: <u><i>Kerry Wilson</i></u> Kerry Wilson, Executive VP  Consented to: TRUCKEE MEADOWS WATER AUTHORITY By: _____ John Zimmerman, Water Right Manager	ASSIGNEE THE VECTOR ACCOUNTS, LLC By: _____ John Brasher, Managing Member
---	--

STATE OF NEVADA            )  
  ) ss.  
COUNTY OF WASHOE        )

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_, 2016,  
by ~~Kerry Wilson as Executive Vice-President of Plumas Bank~~ therein named.

\_\_\_\_\_  
Notary Public

STATE OF NEVADA            )  
  ) ss.  
COUNTY OF WASHOE        )

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_, 2016,  
by **John Brasher, Managing Member of the Vector Accounts, LLC, a Utah Limited Liability Company**, therein named.

\_\_\_\_\_  
Notary Public



EXHIBIT "A"

A portion of Permit Nos. 35581 & 35582 which consist of those certain underground water rights more particularly described as follows: 0.0309 cfs but not to exceed 7.10 acre feet of total combined duty (TCD) annually, and issued on February 14, 1979 from the State Engineer, on file in the office of the Nevada Division of Water Resources.

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

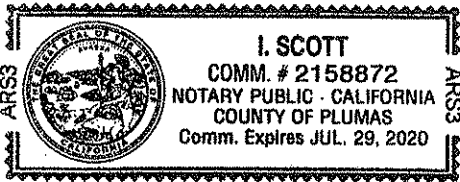
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of PLUMAS )  
On Dec. 12, 2016 before me, I. SCOTT A NOTARY PUBLIC  
Date Here Insert Name and Title of the Officer  
personally appeared KERRY D WILSON  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Individual  Attorney in Fact
- Trustee  Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Individual  Attorney in Fact
- Trustee  Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



September 28, 2016

## WATER RESOURCES BANKING AGREEMENT

The Vector Accounts, LLC  
Attn: Mr. John Brasher  
6233 Blacktop Road  
Rio Linda, CA 95673

**RE: 7.10 Acre feet of Total Combined Duty: Permit Nos. 35581 & 35582**

This Banking Agreement (the "Agreement") between Truckee Meadows Water Authority ("TMWA") and The Vector Accounts, LLC ("Beneficiary") sets forth the terms and conditions upon which TMWA will bank for the benefit of Beneficiary and its assignees 7.10 acre feet annually of total combined duty (TCD) groundwater water rights more particularly described in Exhibit "A" attached hereto and incorporated herein by reference ("Water Rights").

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Banking. The Parties acknowledge that record title to the Water Rights was conveyed to TMWA by that certain water rights ("Water Rights") described as a portion of Permit Nos. 35581 and 35582 with 7.10 AF (TCD), more particularly described in Exhibit "A" attached hereto and incorporated herein by reference, which TMWA agreed to hold for the beneficial use of Assignor. During the term of this Agreement, TMWA hereby agrees to bank and hold record title to the Water Rights for the benefit of Beneficiary or its assignees for future water service in the TMWA retail service area, and Beneficiary shall hold the beneficial interest in the Water Rights, on the terms and conditions set forth herein.

2. Use of Water Rights. Beneficiary may dedicate to TMWA its beneficial interest in all or any portion of the Water Rights from time to time pursuant to TMWA Rule 7 in connection with the issuance of a will-serve commitment for new or expanded water service in TMWA's retail service territory. Any request by Beneficiary for issuance of a will-serve commitment seeking to utilize the Water Rights shall be in writing to TMWA by a duly authorized representative of Beneficiary. Beneficiary expressly acknowledges and agrees that the mere fact that the Water Rights have been reviewed and accepted for banking by TMWA does not guarantee the Water Rights will be acceptable to TMWA for dedication and commitment for issuance of a will-serve commitment, nor does it impose any obligation on TMWA to do so. TMWA's issuance of a will-serve commitment is subject to, and Beneficiary shall comply with, all applicable TMWA rules and policies relating to a request for water service in effect at the time Beneficiary requests issuance of a will-serve commitment utilizing the Water Rights. TMWA reserves the right to review the condition of the Water Rights for dedication purposes and shall be the final authority in determining if and in what amount the Water Rights may be

---

accepted for dedication for a will serve commitment in accordance with TMWA rules at the time of any such will-serve application.

2.1 Temporary Use of Water Rights By TMWA. Prior to the time when a will-serve commitment has been issued utilizing the Water Rights and such Water Rights are in actual use for municipal service, TMWA may, at its sole cost and expense, exercise any portion of the uncommitted Water Rights for general purposes, including but not limited to, groundwater recharge, conjunctive use management, water quality enhancement, drought storage, and/or in stream purposes. TMWA's exercise of the Water Rights is strictly limited to temporary uses that will not diminish or have an adverse quantitative effect on the rights of Beneficiary or its assignee to put the Water Rights to beneficial use in the calendar year following the year in which Beneficiary requests a will-serve commitment, and TMWA's use shall at all times be subject to, and shall not delay or impede, the right of Beneficiary or its assignee to terminate this Agreement or put the Water Rights to beneficial use. If the Nevada State Engineer permanently forfeits or reduces the yield of all or any portion of the Water Rights available for a will-serve commitment solely because of TMWA's exercise of the uncommitted Water Rights for general purposes under this Section 2.1, TMWA will provide and bank for Beneficiary equivalent water rights equal to the amount of Water Rights so forfeited or reduced.

3. Fees and Costs. Beneficiary shall pay TMWA (where applicable), at such time and in such amount as set forth on an invoice from TMWA from time to time: (i) all costs incurred by TMWA to transfer title to the Water Rights to TMWA or such other person requested by Beneficiary, including document preparation, transfer taxes, if any; (ii) all fees and costs imposed by the Federal Water Master, Washoe County Water Conservation District or other governmental agency applicable to the ownership or maintenance of the Water Rights in good standing; (iii) all fees imposed by the State Engineer to file an application to change and subsequent extensions of time or proof of beneficial use of the referenced permit/certificate should Beneficiary request or require such filing; and (iv) all document preparation fee and the annual fee imposed by TMWA under TMWA rules or rate tariffs to bank water rights. All invoices shall be sent to the address of Beneficiary set forth in this Agreement, or such other address provided in writing to TMWA. Beneficiary or its assignees shall be solely responsible for insuring that the notice address on file with TMWA is current and accurate.

4. Beneficiary Representations and Warranties. As a material inducement to TMWA to enter into this Agreement, Beneficiary represents and warrants that: (i) Beneficiary has all requisite power and authority necessary, has taken all requisite action and Beneficiary and the persons executing this Agreement on behalf of Beneficiary are duly authorized to consummate the transactions contemplated in this Agreement; (ii) Beneficiary is the owner of all right, title and beneficial interest in the Water Rights previously conveyed to TMWA; (iii) Beneficiary has not previously sold, encumbered, pledged, assigned, conveyed, or transferred any interest in the Water Rights, and Beneficiary's beneficial interest in the Water Rights is free and clear of all security interests, mortgages, liens, pledges, charges, claims, or encumbrances of any kind or character, and the Water Rights have not been committed by Beneficiary to support any service, nor to the best of Beneficiary's knowledge has any other party committed such Water Rights to support any service; (iv) to the extent a change application is necessary, Beneficiary has no knowledge of any condition or fact related to the Water Rights which would prevent or impede the transfer and sale of the Water Rights and approval by the Nevada State Engineer of a change in the point of diversion and the manner and place of use to an appropriate

---

location and use for municipal and domestic purposes for the entire duty and yield of the Water Rights as decreed or permitted.

5. Term and Termination. This Agreement shall terminate on the earlier of: (i) **SEPTEMBER 11, 2018** (ii) upon thirty (30) days prior written notice by either party; or (iii) immediately by TMWA, in its discretion, if TMWA believes Beneficiary has breached its representations or warranties in this Agreement. Upon termination of this Agreement pursuant to the preceding sentence, TMWA shall reconvey record title to the Water Rights to Beneficiary or its successor. Beneficiary or its successor shall pay TMWA all fees and costs associated with the reconveyance. To the extent all or any portion of the Water Rights are accepted for dedication by TMWA in support of a will-serve commitment, upon the issuance of a will-serve commitment the Water Rights which are subject of a will-serve commitment shall automatically be deemed released from the rights and obligations of this Agreement.

5.1 Renewal. Beneficiary may request that TMWA renew this Agreement for up to an additional five (5) years by sending a written request for renewal to TMWA at least sixty (60) days prior to the termination of this Agreement. The Agreement will be deemed renewed if TMWA, in its sole and absolute discretion, (i) accepts the written renewal request and (ii) Beneficiary pays TMWA, at such time of renewal and in such amount as set forth on an invoice from TMWA the costs identified under Section 3. If TMWA does not accept the written renewal request, the Water Rights will be deeded back to Beneficiary or its successor, and Beneficiary or its successor shall pay TMWA all fees and costs associated with the reconveyance.

5.2 Beneficiary Default and Forfeiture of Beneficial Interest. If Beneficiary fails to timely pay TMWA any amount due under Section 3 of this Agreement, and does not cure the same within sixty (60) days following written notice from TMWA, Beneficiary shall be in default under this Agreement. In such case, TMWA shall be entitled to terminate this Agreement, forfeit Beneficiary's rights in the Water Rights, and receive and retain Beneficiary's beneficial right, title and interest in the Water Rights as damages as its sole and exclusive remedy. The Parties agree that damages are fair and reasonable in light of all of the circumstances existing on the date of this Agreement. Notwithstanding the foregoing, at any time within twelve (12) months of Beneficiary's default and TMWA's termination of this Agreement under this Section 5.1, Beneficiary may reinstate its beneficial right, title and interest in the Water Rights by payment of the outstanding balance due TMWA, plus interest, and the reinstatement fee set forth in TMWA Rules at the time. Beneficiary shall have no right to reinstate its interest in the Water Rights if it fails to do so within twelve (12) months after Beneficiary's default and TMWA's termination of this Agreement under this Section 5.2. The foregoing terms are a material inducement to TMWA entering this Agreement, and are knowingly and voluntarily agreed to by Beneficiary as a condition of the benefits conferred hereby.

6. Risk of Loss. Except as provided in Section 2.1, Beneficiary expressly acknowledges and agrees Beneficiary is solely liable for and bears all risk of any changes, defects, or other issues related to the title, condition, yield, quality or quantity of the Water Rights arising after the issuance of this Agreement and prior to TMWA accepting such Water Rights for dedication and commitment to service. TMWA will exercise commercially reasonable efforts to maintain the current status of the Water Rights; provided, however, TMWA makes no guarantee that the State Engineer will deem banking the Water Rights with TMWA sufficient to

---

maintain the current status and TMWA shall not be responsible or liable for any action taken by the State Engineer as to the Water Rights, including, without limitation, any reduction in yield or amount, or abandonment or forfeiture of the Water Rights for non-use. If any legal action is taken by the State Engineer on abandonment or forfeiture of the Water Rights or any applicable permit, TMWA may, at its option, assist Beneficiary in defending the right and use to the Water Rights, provided Beneficiary shall pay all legal fees in its own defense of the Water Rights if legal action is taken against them. Beneficiary may file a request for notice with the State Engineer for matters related to the Water Rights.

7. Assignment. Beneficiary may transfer at any time, by written request to TMWA, any portion of its beneficial use to the Water Rights to a third party(s), provided TMWA consents in writing to such transfer and that the third party(s) agree to the terms and conditions of this Agreement.

8. Miscellaneous.

8.1 This Agreement contains the sole and only agreement between TMWA and Beneficiary relating to the banking of the Water Rights. Any prior agreements, promises, negotiations or representations, whether written or otherwise, not expressly set forth in this Agreement are superseded, replaced and of no force and effect. No provision of this Agreement may be amended or modified except by an agreement, in writing, signed by the parties or their respective successor-in-interest and expressly stating that it is an amendment of this Agreement.

8.2 This Agreement is binding upon and shall inure to the benefit of all successors and assigns of the parties hereto.

8.3 All notices hereunder shall be in writing, and shall be deemed to have been given or made when actually received if sent by email, certified mail, postage prepaid, and return receipt requested, Federal Express (or other nationally recognized overnight delivery service), personal delivery by delivery service obtaining written confirmation of its deliveries, or facsimile transmission (followed by a hard copy sent by certified mail, personal delivery, or Federal Express), and will be directed as follows:

**Address Beneficiary:**

The Vector Accounts, LLC  
Attn: John Brasher, Managing Member  
6233 Blacktop Road  
Rio Linda, CA 95673

**Address TMWA:**

Truckee Meadows Water Authority  
Attn.: Water Resource Dept.  
P O Box 30013  
Reno, NV 89520-3013

Either Party may change its address by written notice to the other Party.

8.4 Waivers. No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of time for performance of any other obligation or act except those of the waiving party, which shall be extended by a period of time equal to the period of the delay.

8.5 **Professional Fees.** If either Party commences an action against the other to interpret or enforce any of the terms of this Agreement or because of the breach by the other Party of any of the terms hereof, the losing Party shall pay to the prevailing Party reasonable attorneys' fees, costs and expenses incurred in connection with the prosecution or defense of such action.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date written below.

<b>"TMWA"</b> TRUCKEE MEADOWS WATER AUTHORITY  By: _____ John R. Zimmerman, Water Resources Manager  Dated: _____	<b>"Beneficiary"</b> THE VECTOR ACCOUNTS, LLC  By: <u>John Brasher</u> John Brasher, Managing Member  Dated: <u>1/12/16</u>
---	---

STATE OF NEVADA                     )  
   ) ss:  
COUNTY OF \_\_\_\_\_)

On the \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, a notary public in and for said State, personally appeared **John Brasher** proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

\_\_\_\_\_  
NOTARY PUBLIC

---

## **EXHIBIT "A"**

### **Water Rights Description**

A portion of Permit Nos. 35581 & 35582 which consist of those certain underground water rights more particularly described as follows: 0.0309 cfs but not to exceed 7.10 acre feet of total combined duty (TCD), and issued on February by the State Engineer and on file in the office of the Nevada Division of Water Resources.